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In re Application of :
Adrian David LINCOLN, et al :
Application No. 09/855,142 : DECISION ON PETITION
Filed: May 14, 2001 :
Attorney Docket No. 211202 :

This is a decision on the petition filed October 16, 2007 requesting withdrawal of the holding of abandonment in the above-identified application or in the alternative, petition to revive under 37 CFR 1.137(b). The petition is being treated as a petition to revive under 37 CFR 1.137(b).

The petition is **GRANTED**.

This application became abandoned as a result of petitioner's failure to file a complete and proper reply to the Office communication mailed, January 24, 2007, which set a period for reply of one (1) month. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on February 25, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) a reply to the Office communication, (2) the petition fee of \$1540; and (3) an adequate statement of unintentional delay.

37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Since the statement appearing in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the required statement. Petitioner must notify the Office if this is **not** a correct reading of the statement appearing in the petition.

Telephone inquiries concerning this decision should be directed to Diane Goodwyn at (571) 272-6735.

This application is being referred to Technology Center 2145 for appropriate action by the Examiner in the normal course of business on the reply received October 16, 2007.

A handwritten signature in black ink, appearing to read "Thurman K. Page". The signature is fluid and cursive, with a long horizontal stroke at the end.

Thurman Page
Petitions Examiner
Office of Petitions